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ACTION WHA-01

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| INFO | LOG-00 | AID-00 | ACQ-01 | CEA-01 | CIAE-00 | SMEC-00 | CTME-00 |
| | INL-01 | DINT-00 | DODE-00 | SRPP-00 | DS-00 | EB-00 | EUR-01 |
| | EXIM-01 | E-00 | FBIE-00 | FRB-00 | H-01 | TEDE-00 | INR-00 |
| | IO-00 | ITC-01 | L-01 | ADS-00 | MMP-00 | AC-01 | NSAE-00 |
| | NSCE-00 | NSF-01 | OES-01 | OIC-02 | OMB-01 | OPIC-01 | PA-00 |
| | PM-00 | PRS-00 | ACE-00 | P-00 | SCT-00 | SP-00 | SSO-00 |
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FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC 8599
INFO DEPT OF ENERGY WASHDC
USDOC WASHDC
AMEMBASSY CARACAS
AMEMBASSY QUITO
AMEMBASSY BRASILIA
AMEMBASSY MEXICO
AMEMBASSY OTTAWA
AMEMBASSY LONDON
AMEMBASSY THE HAGUE
USMISSION GENEVA

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STATE PASS USTR - BHARMAN
STATE PASS OPIC AND EXIM FOR AMERICAS DIVISION
USDOC FOR 4331/IEP/OLA/AND/GAISFORD
DOE FOR HENRY SANTIAGO AND DAVID PUMPHREY

E.O. 12958: DECL: 1.6(X6)
TAGS: EPET, PHUM, PTER, ENRG, ECON, BEXP, PINS, PREL, SENV, CO
SUBJECT: A/S KOH AND OIL COMPANY EXECS DISCUSS SECURITY ISSUES

REFS: A) BOGOTA 3671 B) BOGOTA 3716 C) BOGOTA 3844
D) 98 BOGOTA 14108 E) 98 BOGOTA 14115
F) WARD-FITZPATRICK-LEHMBERG TELCON (04/29/99)

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CLASSIFIED BY AMBASSADOR CURTIS W. KAMMAN. REASONS: 1.5 (D&E)

1. (C) SUMMARY: ASSISTANT SECRETARY FOR HUMAN RIGHTS, DEMOCRACY AND LABOR HAROLD KOH MET APRIL 9 WITH SENIOR REPRESENTATIVES OF SEVERAL MULTINATIONAL OIL COMPANIES OPERATING IN COLOMBIA. THE EXECUTIVES STATED THAT, DESPITE THE GUERRILLA ATTACKS AND THE COMPLICATED SECURITY SITUATION IN COLOMBIA, THEIR COMPANIES DO NOT HAVE ANY CONNECTIONS WITH PARAMILITARY GROUPS. END SUMMARY.

A/S KOH MEETS OIL EXECUTIVES

2. (SBU) DURING HIS RECENT VISIT TO COLOMBIA (REFS A-C), A/S FOR HUMAN RIGHTS, DEMOCRACY AND LABOR HAROLD KOH MET AT HIS REQUEST APRIL 9 IN BOGOTA WITH REPRESENTATIVES OF BRITISH PETROLEUM/AMOCO, OCCIDENTAL PETROLEUM (OXY), CANADIAN PETROLEUM, BAKER HUGHES AND SHELL TO DISCUSS THE OIL COMPANIES' SECURITY SITUATION IN THE COLOMBIAN HINTERLANDS. SPECIFICALLY, A/S KOH SOUGHT THE EXECUTIVES' COMMENTS REGARDING INTERMITTENT ALLEGATIONS OF OIL
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COMPANY PAYMENTS TO PARAMILITARIES.

3. (SBU) THE OIL COMPANY EXECUTIVES CATEGORICALLY AND UNANIMOUSLY DENIED ANY INVOLVEMENT WITH "THIRD-PARTY SECURITY FORCES." THE OXY REPRESENTATIVE SAID, "I CRINGE WHEN I HEAR YOU (I.E., A/S KOH) SUGGEST THE UTILIZATION OF ILLEGAL SECURITY FORCES." THE BP REPRESENTATIVE THEN ECHOED THE SAME REMARK.

4. (SBU) EACH REPRESENTATIVE EMPHASIZED THEIR COMPANY'S ADHERENCE TO AN AUSTERE CORPORATE CODE OF CONDUCT AND A COMMITMENT TO OPERATE WITHIN THE LAW. THE EXECUTIVES EXPLAINED THAT THROUGH AGREEMENTS WITH ECOPETROL, THE COLOMBIAN ARMY PATROLS THE AREA IN THE VICINITY OF THEIR VARIOUS OIL FACILITIES, WHILE THE COLOMBIAN POLICE TAKES RESPONSIBILITY FOR SECURING THE PERIMETER OF THE GROUNDS. THE OIL COMPANY-ECOPETROL SECURITY AGREEMENTS CONTAIN FINANCIAL AUDITING AND HUMAN RIGHTS PROVISIONS THAT PROHIBIT "NON-LEGAL SECURITY ASSISTANCE." TO HELP THE GOC ABSORB THE COST OF THIS SECURITY, THE OIL COMPANIES PAY EITHER A PER-BARREL "WAR" TAX OR PROVIDE NON-LETHAL ASSISTANCE TO THE ARMY/POLICE (E.G., TRUCKS, BARRACKS, FOOD).

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6. (SBU) WHEN PRESSED BY A/S KOH REGARDING THE SPECIFIC

RESPONSIBILITIES OF DSC, THE BP REPRESENTATIVE ASSERTED THAT DSC PLAYED "ONLY AN ADVISORY ROLE, WHICH INCLUDES NEGOTIATING WITH THE POLICE AND ARMY." A/S KOH THEN ASKED, "WHAT ARE THE REMEDIES WHEN
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YOU FEEL SECURITY IS INADEQUATE AT YOUR FACILITY?" BP RESPONDED THAT WHEN A RIG OPERATOR HAS NOT SEEN THE ARMY FOR A COUPLE OF DAYS, HE CALLS DSC AND REQUESTS THAT THEY SPEAK WITH THE BRIGADE COMMANDER. THE BP EXECUTIVE EXPLAINED THAT IF SECURITY CONTINUED TO BE INADEQUATE, THE COMPANY WOULD SHUT DOWN OPERATIONS UNTIL THE ARMY RETURNED. (COMMENT: IT IS LIKELY THAT MANY OF THE RUMORS LINKING OIL COMPANIES TO THE PARAMILITARIES STEM FROM THE USE OF SECURITY COMPANIES, SUCH AS DSC. BP'S ASSOCIATION WITH DSC, WHOSE PARENT COMPANY IS THE U.S. "ARMOR HOLDINGS," HAS BEEN A PUBLIC ISSUE IN ENGLAND AND THE EUROPEAN PARLIAMENT SINCE AT LEAST 1996. SEE ALSO REFS D AND E. END COMMENT.)

THE CONTEXT

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7. (U) THE ACCUSATION OF OIL COMPANY INVOLVEMENT WITH PARAMILITARIES IS NOT A NEW ONE IN COLOMBIA. TEXACO WAS ACCUSED OF IT, FOR EXAMPLE, IN THE MAGDALENA MEDIO REGION DURING THE EARLY 1980S. IN 1996-97, BP CAME UNDER INTENSE PRESSURE FROM SEVERAL LONDON-BASED NGO'S, WHICH CLAIMED BP WAS HIRING PARAMILITARY FORCES TO PROTECT THEIR OIL CAMPS. IT WAS ONLY REPORTED MUCH LATER THAT ASDRUBAL JIMENEZ, THE HEAD OF "COALITION AGAINST BP IN COLOMBIA" (THE NGO LEADING THE ANTI-BP ATTACK) HAD BEEN A FORMAL MEMBER OF THE ELN GUERRILLA NEGOTIATING TEAM FOR 1992 PEACE TALKS WITH THE COLOMBIAN GOVERNMENT IN TLAXCALA, MEXICO.

8. (SBU) IT IS ALSO TRUE THAT THE OIL COMPANIES HAVE A LEGITIMATE SECURITY CONCERN -- ONE FULLY SHARED BY THE COLOMBIAN GOVERNMENT.

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TO SECSTATE WASHDC 8600
INFO DEPT OF ENERGY WASHDC
USDOC WASHDC
AMEMBASSY CARACAS
AMEMBASSY QUITO
AMEMBASSY BRASILIA
AMEMBASSY MEXICO
AMEMBASSY OTTAWA
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THE ELN HAS LONG TARGETED OIL COMPANIES FOR BOMBING, KIDNAPPING, KILLING AND EXTORTION; INDEED, THE MID-1980S RESURGENCE OF THE ELN IS IN LARGE PART DUE TO THE MEGA-MILLION DOLLAR EXTORTION THAT GERMAN CONSTRUCTION FIRM MANNESMANN PAID TO THE ELN FOR "PERMISSION" TO BUILD THE COVENAS PIPELINE. OVER THE LAST TEN YEARS, THE TOLL FROM ATTACKS ON OXY'S CANO LIMON PIPELINE ALONE HAS BEEN TREMENDOUS: OVER 15 EMPLOYEES/CONTRACTORS MURDERED; REPAIR COSTS IN EXCESS OF \$75 MILLION; AND MORE THAN 2 MILLION BARRELS OF OIL SPILLED.

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